

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:16CR226
)	
vs.)	ORDER
)	
BENJAMIN SMOLINSKI,)	
)	
Defendant.)	

This matter is before the court on the motion of defendant Benjamin Smolinski (Smolinski) for an order to direct pretrial services to investigate placement for substance abuse residential treatment (Filing No. 56). Smolinski has twice before participated in residential treatment at Valley Hope in O'Neill, Nebraska, and at the Omaha Campus for Hope. Smoilinski has a record of assaultive behaviors and has displayed a lack of respect for court orders. Cass County, Nebraska, authorities are seeking violation of Smolinski's probation due to the instant federal charges were allegedly committed while on state probation. Smolinski has failed to do his community service, pay fines or costs, or submitted to drug testing regarding his state probation conditions.

Smolinski's motion (Filing No. 56) is denied.

IT IS SO ORDERED.

DATED this 3rd day of October, 2016.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge